

(c) The ballast water is processed and discharged in compliance with § 157.37; and

(d) On a new vessel under § 157.10 that carries crude oil, the ballast water is only carried in a cargo tank that is crude oil washed in accordance with Subpart D of this part during or after the most recent discharge of crude oil from that tank.

[CGD 77-058b, 45 FR 43708, June 30, 1980, as amended by CGD 82-28, 50 FR 11626, Mar. 22, 1985]

§ 157.37 Discharge of oily mixtures from oil cargoes.

(a) A tank vessel may not discharge an oily mixture into the sea from a cargo tank, slop tank, or cargo pump room bilge unless the vessel:

(1) Is more than 50 nautical miles from the nearest land;

(2) Is proceeding en route;

(3) Is discharging at an instantaneous rate of oil content not exceeding 30 liters per nautical mile;

(4) Is an existing vessel and the total quantity of oil discharged into the sea does not exceed 1/15,000 of the total quantity of the cargo that the discharge formed a part, or is a new vessel and the total quantity of oil discharged into the sea does not exceed 1/30,000 of the total quantity of the cargo that the discharge formed a part;

(5) Discharges:

(i) Through the above waterline discharge point described in § 157.11(b)(2);

(ii) In accordance with paragraph 5 of appendix E to this part, if the vessel is an existing vessel with a Part Flow System meeting that appendix; or

(iii) Below the waterline in accordance with paragraph (e) of this section;

(6) Has in operation an oil discharge monitoring and control system required by § 157.12 that is designed for use with the oily mixture being discharged, except that the system may be operated manually if:

(i) The automatic system fails during a ballast voyage;

(ii) The failure is recorded in the Oil Record Book;

(iii) The master ensures that the discharge is constantly monitored visually and promptly terminated when oil is detected in the discharge; and

(iv) The system is operated manually only until the ballast voyage is completed; and

(7) Is outside the “Special Areas” defined in Regulation 1.11 of Annex I to the MARPOL 73/78.

(b) A seagoing tank vessel of 150 gross tons or more that carries asphalt or other products whose physical properties inhibit effective product/water separation and monitoring must transfer all oil cargo residues and tank washings from such cargoes to a reception facility.

(c) Each oil discharge monitoring and control system must be maintained and operated in accordance with its instructions manual.

(d) All discharge data recorded by an oil discharge monitoring and control system must be retained for at least three years. The data for the most recent year must be retained on board the vessel.

(e) Ballast water containing an oily mixture may be discharged below the waterline at sea by gravity if—

(1) The ballast is not from a slop tank;

(2) Examination with an oil-water interface detector shows that oil-water separation has taken place; and

(3) The oil layer is high enough in the tank so that it will not be discharged.

(The information collection requirement contained in paragraph (d) of this section was approved by the Office of Management and Budget under control number 1625-0041)

[CGD 74-32, 40 FR 48283, Oct. 14, 1975, as amended by CGD 76-088b, 48 FR 45721, Oct. 6, 1983; USCG-2000-7641, 66 FR 55573, Nov. 2, 2001; USCG-2006-25150, 71 FR 39210, July 12, 2006; USCG-2008-0179, 73 FR 35015, June 19, 2008; USCG-2004-18939, 74 FR 3382, Jan. 16, 2009]

§ 157.39 Machinery space bilges.

(a) A tank vessel may discharge an oily mixture from a machinery space bilge that is combined with an oil cargo residue if the vessel discharges in compliance with § 157.37.

(b) A tank vessel may discharge an oily mixture from a machinery space bilge that is not combined with an oil cargo residue if the vessel:

(1) Is proceeding en route;

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(2) Is discharging an effluent with an oil content of less than 15 parts per million; and

(3) Has in operation an oil discharge monitoring and control system in compliance with § 157.12 and oil separating equipment in compliance with 33 CFR 155.380.

[CGD 74-32, 40 FR 48283, Oct. 14, 1975, as amended by USCG-2000-7641, 66 FR 55573, Nov. 2, 2001; USCG-2004-18939, 74 FR 3382, Jan. 16, 2009]

§ 157.41 Emergencies.

Sections 157.27, 157.29, 157.37, and 157.39 do not apply to a tank vessel that discharges into the sea oil or oily mixtures:

(a) For the purpose of securing the safety of the vessel or for saving life at sea; or

(b) As a result of damage to the vessel or its equipment if:

(1) Reasonable precautions are taken after the occurrence of the damage or discovery of the discharge for the purpose of preventing or minimizing the discharge; and

(2) The owner, master or person in charge did not intend to cause damage, or did not act recklessly and with knowledge that damage of the environment would probably result.

§ 157.43 Discharges of clean and segregated ballast: Seagoing tank vessels of 150 gross tons or more.

(a) Clean ballast may not be discharged overboard unless the discharge is verified as clean ballast through use of an approved oil discharge monitoring and control system or, if discharged before the required oil discharge monitoring and control system installation date, by visual examination of the ballast contents immediately before discharge. This paragraph applies to discharges of clean ballast:

(1) From dedicated clean ballast tanks; and

(2) Into the navigable waters of the United States from any other tank.

(b) Segregated ballast may not be discharged overboard unless a visual examination, or a test of the ballast contents with an oil/water interface detector, immediately before the discharge shows that there is no oily mix-

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ture in the ballast. Use of an oil discharge monitoring and control system is not required. This paragraph applies to discharges of segregated ballast:

(1) Into the navigable waters of the United States; and

(2) Below the waterline at sea from an existing vessel that does not have an above the waterline discharge point for segregated ballast.

(c) All discharges of clean ballast and segregated ballast must be through an above waterline discharge point described in § 157.11(b)(2), except that:

(1) A vessel may discharge clean ballast and segregated ballast below the waterline when in port or at an offshore terminal.

(2) A vessel may discharge clean ballast and segregated ballast at sea by gravity below the waterline.

(3) An existing vessel that does not have above waterline discharge points for dedicated clean ballast tanks may discharge clean ballast from those tanks below the waterline at sea.

(4) An existing vessel that does not have above waterline discharge points for segregated ballast tanks may discharge segregated ballast below the waterline at sea.

(d) This section applies only to seagoing tank vessels of 150 gross tons or more.

[CGD 76-088b, 48 FR 45721, Oct. 6, 1983; 48 FR 46985, Oct. 17, 1983; USCG-2000-7641, 66 FR 55573, Nov. 2, 2001; USCG-2004-18939, 74 FR 3382, Jan. 16, 2009]

§ 157.45 Valves in cargo or ballast piping system.

When a tank vessel is at sea and the tanks contain oil, valves and closing devices in the cargo or ballast piping system or in the transfer system must be kept closed except they may be opened for cargo or ballast transfer to trim the vessel.

§ 157.47 Information for master.

A master or person in charge of a new vessel shall operate the vessel in accordance with the information required in 46 CFR 31.10-30(d) that includes the following:

(a) Stability information.